

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6059

BILL NUMBER: HB 1248

NOTE PREPARED: Nov 7, 2007

BILL AMENDED:

SUBJECT: Law Enforcement Continuing Education Program Court Fee.

FIRST AUTHOR: Rep. Austin

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill increases the law enforcement continuing education program court fee from \$3 to \$6.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: Based on the patterns of dispositions for criminal, infractions, and ordinance violation cases, doubling the law enforcement continuing education program court fee from \$3 to \$6 could bring in new money of an estimated \$1.9 M within 24 to 36 months.

This fee is collected in all criminal, infraction, and ordinance violation actions when a defendant is found to have committed a crime, (1) committed a crime; (2) violated a statute defining an infraction; or (3) violated an ordinance of a municipal corporation.

Revenue from the law enforcement continuing education program court fee is deposited into a county user fee fund (IC 33-37-8-5) if the case was decided in a trial court or in a city or town user fee fund (IC 33-37-8-3) if the case was decided in a city or town court. Money from this fee is used for continuing education programs for local law enforcement agencies.

Estimated New Revenue Deposited in County and City and Town User Fee Funds by Increasing Law Enforcement Continuing Education Program Court Fee from \$3 to \$6			
	Trial Courts	City and Town Courts	Total Revenue
Felonies and Misdemeanors	\$151,330	\$66,196	\$217,526
Infractions & Ord. Violations	<u>\$1,253,464</u>	<u>\$436,404</u>	<u>\$1,689,868</u>
Total New Revenue Statewide	<u>\$1,404,794</u>	<u>\$502,600</u>	<u>\$1,907,394</u>

Since fees for noncivil cases are paid when a judge or jury decides whether a defendant is guilty, it will likely take at least 24 to 36 months for the state to receive the full \$1.9 M. This is because a case may be filed in one reporting year, but the outcome may not be determined until the next year.

State Agencies Affected:

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Indiana Code, *Indiana Judicial Reports, 2001 - 2005*; Doug Gosser, Indiana Sheriffs' Association

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